

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85244 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- NADI P.S. District- Patna

Munna Das S/o Dhanesh Das Resident of Village - Jethuli, P.S - Nadi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1890 of 2026

Arising Out of PS. Case No.-330 Year-2024 Thana- NADI P.S. District- Patna

Sanjeet Das @ Bhim Das Son of Bilat Das Resident of Village- Jethuli, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 85244 of 2025)

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 1890 of 2026)

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 09-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Nadi P.S. Case No. 330 of 2024 instituted for the offence under Sections 103(1) & 3(5) of the Bharatiya Nyaya Sanhita, 2023. Earlier vide common order dated 15-05-2025, passed in Cr.



Misc. No. 15591 of 2025, regular bail of the petitioners was rejected by a Co-ordinate Bench of this Court.

3. Learned counsel for the petitioners submits that the present one is the second attempt for grant of regular bail to the petitioners. It is mainly submitted that charge in this case is framed and till date, no witness has been examined, hitherto. It has been submitted on behalf of the petitioners that the petitioner, namely, Munna Das is in custody since 14-10-2024, whereas petitioner, namely, Sanjeet Das @ Bhim Das is in custody since 26.12.2024, both having no criminal antecedent. Learned counsel further submits that there is no likelihood of the trial being concluded in the near future. Learned counsel goes on to submit that the continued incarceration of the petitioners without conclusion of trial amounts to a gross violation of the fundamental right guaranteed under Article 21 of the Constitution of India, which is reiterated by Hon'ble Apex Court in plethora of judgments.

4. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

5. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and taking into account the fact that continued detention of the petitioners



would serve no purpose other than punitive pretrial incarceration, which is antithetical to the spirit of Article 21 of the Constitution of India, this Court is inclined to grant bail to the petitioners.

6. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nadi P.S. Case No. 330 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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